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*Pro Hac Vice*

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Attorneys for Plaintiff  
FIREMAN'S FUND INSURANCE COMPANY,  
a foreign corporation a/s/o BASIC RESOURCES, INC.  
and GEORGE REED, INC., a foreign corporation

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

FIREMAN'S FUND INSURANCE  
COMPANY, a foreign corporation  
a/s/o BASIC RESOURCES, INC.  
and GEORGE REED, INC., a foreign  
corporation,

Plaintiff,

vs.

GERLING AMERICA INSURANCE  
COMPANY, a foreign corporation,

Defendant.

CASE NO. C 07 06302 CRB

**PLAINTIFF'S NOTICE OF FILING OF  
DECLARATION OF JON D. DERREVERE  
IN SUPPORT OF PLAINTIFF'S  
RESPONSE WITH CROSS-MOTION FOR  
PARTIAL JUDGMENT ON THE  
PLEADINGS TO DEFENDANT'S MOTION  
FOR JUDGMENT ON THE PLEADINGS  
(D.E. 33) AND FOR ALL OTHER  
PURPOSES [F.R.C.P. 12(c)]**

Plaintiff, FIREMAN'S FUND INSURANCE COMPANY ("FFIC") a/s/o BASIC  
RESOURCES, INC. ("BASIC RESOURCES") and GEORGE REED, INC. ("GEORGE REED")  
hereby files/serves this Notice of Filing of Jon D. Derrevere's Declaration in Support of Plaintiff's  
Response with Cross-Motion for Partial Judgment on the Pleadings to Defendant's Motion for  
Judgment on the Pleadings and for all other Purposes.

1 DATED: 1st DAY OF May 2008.

2 By.

3 JON D. DERREVERE  
4 Fla. Bar No.: 330132  
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18 Co-counsel for Plaintiff

**PROOF OF SERVICE**

*Fireman's Fund Ins. Co. v. Gerling American Ins.*

United States District Court, Northern District of California

Case No.: C 07 06302 CRB

I am employed in the City and County of West Palm Beach, State of Florida. I am over the age of 18 and not a party to the within action; my business address is: Derrevere, Hawkes & Black, 470 Columbia Drive, Building "B", West Palm Beach, Florida 33409.

On May 1st, 2008, I served the foregoing document(s) described as:

**PLAINTIFF'S NOTICE OF FILING OF DECLARATION OF JON D. DERREVERE IN SUPPORT OF PLAINTIFF'S RESPONSE WITH CROSS-MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS TO DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS (D.E. 33) AND FOR ALL OTHER PURPOSES [F.R.C.P. 12(c)]**

On the interested parties in this action by placing ☐ the original ☐ a true copy thereof enclosed in a sealed enveloped addressed as stated below:

☐ **BY REGULAR MAIL:**

I caused such envelopes to be deposited in the United States Mail at West Palm Beach, Florida with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with United States postal service each day and that practice was followed in the ordinary course of business for the service herein attested to.

☒ **BY ECF:**

I HEREBY CERTIFY that on this 1st day of May, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on: TINO X. DO, Barger & Wolen, LLP, 650 California Street, 9<sup>th</sup> Floor, San Francisco, CA 94108, [tdo@barwol.com](mailto:tdo@barwol.com) and CHARLES K. BRUNN, Brunn & Flynn, 928 12<sup>th</sup> Street, Suite 200, P.O. Box 3366, Modesto, CA 95354, [CBrunn@Brunn-Flynn.com](mailto:CBrunn@Brunn-Flynn.com) via transmission of Notices of Electronic Filing generated by CM/ECF.

☒ **FEDERAL** - I declare that I am employed in the office of a member of the Florida Bar, admitted to practice in all Florida Courts and who makes this Pro Hac Vice Application, that our co-counsel and sponsor is a member of the bar of this California Court, and at their direction this service was made. Executed at West Palm Beach, Florida on May 1st, 2008.

NAME: Deanna N. Menendez

Signature: Deanna N. Menendez